

U.S.S.N. 09/465,436
Group Art Unit: 2172

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Midgley, et al.

Serial No.: 09/465,436

Filed: December 16, 1999

For: Systems and Methods for Backing Up
Data Files

Group Art Unit: 2172

Examiner: Shahid Al Alam

Attorney Docket No.: NTK-005.01

OFFICIAL

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at (703) 872-9306.

August 12, 2004
Date of Signature
and of Transmission

Kevin A. Oliver
Kevin A. Oliver

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In reply to the Office Action dated July 27, 2004, Applicants submit the following Amendment and Remarks.

Applicants' Attorney does not believe that any additional extension of time or any additional fees are required for consideration of this Response, beyond those which may otherwise be provided for in accompanying documents. Should any additional extension of time or additional fees be required for timely consideration of this Response, however, Applicants' Attorney hereby petitions for same and requests that the extension fee and any other fee required for timely consideration be charged to **Deposit Account No. 06-1448, Reference NTK-005.01.**

Further, Applicants' Attorney hereby authorizes the Commissioner to credit any overpayment to **Deposit Account Number 06-1448, Reference NTK-005.01.**

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INTRODUCTORY COMMENTS

Please amend claims 12 and 22. Please cancel claims 6-11, 14, 17-21, 24, and 27-28 without prejudice. Claims 1-5, 12-13, 15-16, 22-23, and 25-26 are thus pending after entry of the amendment. The claim amendments are intended to expedite prosecution, are not related to patentability, and are presented to correct form matters.